

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ANGELITA SANDERS,

Plaintiff,

v.

J.C. PENNEY CORPORATION, INC.,

Defendant

Civil Action
File No.:

PETITION OF REMOVAL

TO: The Honorable Judges of the United States District Court for the
Northern District of Georgia, Atlanta Division

The Defendant J.C. Penney Corporation, Inc. respectfully shows this Court the
following:

1. A civil action has been filed and is now pending in the State Court of Chatham County, State of Georgia, with the parties named and aligned as stated in the caption of this document. That action is designated there as Civil Action File No. STCV1101602.
2. The Summons and Complaint in that action were filed in the State Court of Chatham County on July 18, 2011 and were first received by Defendant J.C. Penney Corporation (JC Penney) on July 22, 2011. This

notice is therefore filed in this Court within 30 days of receipt by the Defendant of the summons and complaint.

3. The Defendant files herewith a copy of all process, pleading, and orders received by the Defendant in this action, pursuant to 28 USC § 1446.
4. Defendant is now, was at the commencement of this suit, and at all times since has been a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 6501 Legacy Drive, Plano, Texas 75024.
5. Defendant's interaction with Plaintiff was by virtue of her apparently shopping at its Oglethorpe Mall location, 7804 Abercorn Street, Savannah, Chatham County, Georgia 31406.
6. Defendant's registered agent for service of process is Corporation Process Company located in Gwinnett County at 2180 Satellite Blvd, Suite 400, Duluth, Georgia 30097.
7. Plaintiff is a resident of the state of Georgia. Therefore, the action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by the Defendant pursuant to the provisions of 28 USC §§ 1332 and 1441 et seq., in that there is complete diversity among the parties and the Defendant is not a resident of the State of Georgia, the Parties are not

residents of the same State, and the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. Defendant attaches hereto a copy of the Summons and Complaint in the State Court of Chatham County, Georgia, marked as Exhibit "A".
9. Defendant attaches hereto a copy of Defendant's Notice of Removal filed in the State Court of Chatham County, Georgia, marked as Exhibit "B".

WHEREFORE the Defendant prays that the above action now pending against them in the State Court of Chatham County, Georgia be removed to this Court.

This 18th day of August, 2011.

GOODMAN MCGUFFEY LINDSEY & JOHNSON, LLP
Attorneys for J.C. Penney Corporation, Inc.

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CERTIFICATE OF COMPLIANCE

The foregoing PETITION OF REMOVAL is double spaced in 14 point Times New Roman font and complies with the type-volume limitation set forth in Local Rule 7.1.

S/JOSHUA S. STEIN

Joshua S. Stein

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CERTIFICATE OF SERVICE

This is to certify that I electronically filed this PETITION OF REMOVAL with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Brent J. Savage, Esq.
Brent Jamieson Savage, Jr., Esq.
Savage, Turner, Kraueter, Pinckney & Madison
P.O. Box 10600
Savannah, GA 31412

I also hereby certify that I have mailed by United States Postal Service to the attorneys listed above the document that is named in this Certificate of Service.

This 18th day of August, 2011.

GOODMAN MCGUFFEY LINDSEY & JOHNSON, LLP

BY: *s/ JOSHUA S. STEIN*

Joshua S. Stein

GOODMAN MCGUFFEY LINDSEY & JOHNSON, LLP